CITY OF CAMPBELL RIVER
PROVINCE OF BRITISH COLUMBIA
BYLAW NO. 3411, 2010

The purpose of this Bylaw is:

a. to update the Development Cost Charges Bylaw by repealing and replacing the City's Development Cost Charges Bylaw No. 3280, 2007, and

b. to provide funds to assist the City to pay the capital costs of providing, constructing, altering, or expanding transportation, water, drainage, and sewage facilities, and of providing and improving parkland.

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Under its statutory powers, including sections 932 to 937.1 of the *Local Government Act*, the Council of the City of Campbell River enacts the following provisions:

1. Title

This Bylaw may be cited as the **"Development Cost Charges Bylaw No. 3411, 2010"**.

2. Definitions

In this Bylaw, unless the context otherwise requires:

"attached dwelling" means a building that:

a. is used or designed as 2 or more self-contained dwelling units, and

b. does not contain a dwelling unit wholly or partly above another dwelling, with the exception of a two family dwelling which may have one dwelling unit above another dwelling unit;

"building permit"
means a permit, issued under the City's Building Bylaw, authorizing the construction, alteration, or extension of a building or structure;

"clustered housing development"
means a development consisting of more than one single family, two family or three family dwelling and/or attached dwelling, whether or not construction is authorized under more than one building permit

"commercial"
means a building or structure used or intended to be used to carry on one or more businesses,

a. including but not limited to, the sale or provision of goods, meals, transient accommodation, entertainment or services,

"comprehensive development"
means a development that is comprised of 2 or more of the following uses: residential, commercial, institutional or industrial;

"detached dwelling"
means a building not attached to any other building and containing only one self-contained dwelling unit;

"development cost charges" or **"DCC"**
means the applicable DCC Rates prescribed in Schedule A;

"downtown multiple dwelling"
means a multiple dwelling unit within the Downtown Dwelling Area;

"Downtown Dwelling Area" means that part of the City depicted on the map attached a schedule "C" to this Bylaw;

"industrial"
means the use of a building for industrial uses, including but not limited to warehousing, wholesale, manufacturing, processing, assembly, testing, distribution, servicing and repairing of products or materials;

"institutional"
means a building or structure used or intended to be used for non-profit cultural, recreational, religious, social, library, school, government, hospital, or educational purposes;

"manufactured home"
means a dwelling unit the components of which have been built offsite in a factory, and includes factory built housing and mobile homes as defined and interpreted within the BC Building Code;

"manufactured home park"
means a development consisting of one or more parcels on which more than one manufactured home sites are located;

"manufactured home site"
means a site in a manufactured home park which is intended for occupation by a manufactured home;

"multiple dwelling"
means a building or portion of a building containing 3 or more self-contained dwelling units, one or more of which are wholly or partly above another dwelling unit or another use;

"Quinsam Heights Drainage Area" means that area of the City depicted on the map attached as Schedule "B" to this Bylaw

"**secondary suite**"
means an additional dwelling unit attached to the principle dwelling unit and:

a) having a total floor area of not more than 90 square metres in floor area;
b) having a floor area less than 40% of the habitable floor area or the building;
c) having not more than two bedrooms;
d) located within a building of residential occupancy containing only one other dwelling unit; and
e) is located in and part of a building which is a single real estate entity.

"self-contained dwelling unit"
means one or more rooms with self-contained sleeping, living, and sanitary facilities containing not more than one set of cooking facilities, used or intended for use as a residence or domicile for one or more persons, but excludes secondary suites. For the purpose of calculating DCC's secondary suites are excluded.

"total floor area"
means the total area of all floors in a building measured to the inside surface of the exterior walls, including unfinished areas such as basements, but excluding areas required by the City to be provided for parking motor vehicles and storing bicycles;

"two family dwelling"
means a building comprising two self-contained dwelling units, but does not mean a detached dwelling containing a secondary suite.

3. Severability

Each portion of this Bylaw is intended to be independent to the extent that its invalidation by a court does not affect the validity of any other portion.

4. Payment of development cost charges

a. A person who applies for approval of a subdivision or for a building permit for the categories of development listed in Schedule "A" must pay the applicable development cost charge prescribed in Schedule A at the same time the person's subdivision application is approved or building permit is issued.

b. For a comprehensive development

   i. development cost charges must be calculated separately for each use that is part of that comprehensive development, in accordance with Schedule A, and

   ii. the development cost charge payable equals the sum total of the development cost charges calculated for each separate use.

c. Subdivision applications that create lots with the potential for more than one (1) dwelling unit will be charged DCC's at the detached dwelling rate at the time of subdivision approval. Additional DCC's charged at the attached dwelling or clustered housing rate will be payable at time of building permit issue for cluster housing development or for construction of a building with more than one self-contained dwelling unit.

d. For properties that are divided by the Quinsam Heights boundary. DCC will be charged based on direction of stormwater discharged. Development with City approved stormwater management plans that direct water into the Quinsam Heights area will be charged DCC's including the Quinsam Drainage DCC. Those developments with City approved stormwater management plans that direct water away from the Quinsam Heights area will be charged DCC's without Quinsam Drainage DCC.

5. Exemptions from payment

Section 4 *[payment of development cost charges]* does not apply in the circumstances described in sections 933(4) (a) [places of public worship], 933(4) (c) [building permit value of $50,000 or less] and 933(4.01) [dwellings of 29 square metres or less] of the *Local Government Act.*

6. Payment by Installment

Notwithstanding section 4, development cost charges due and payable in excess of $50,000 may be paid in installments, as follows:

(a) a developer that elects to pay a development cost charge in installments must pay the development costs charge in full within two years after the date of final approval on the subdivision, or granting of the building permit, by paying not less than:

i) one-third of the total charge at the time of either final subdivision approval or granting of the building permit; and

ii) one-half of the balance within one year after the date of either final subdivision approval, or granting of the building permit; and

iii) complete payment of the total charge within two years after the date of either final subdivision approval or granting of the building permit.

(b) where the developer elects to pay the development cost charge in installments, and payment is not received in accordance with the above schedule, the total balance becomes due and payable immediately.

(c) no interest is payable on the unpaid balance of a development cost charge until it becomes due and payable, but when it does, it is a condition of election under this section that interest is payable from that date until payment at the rate or rates prescribed under Section 11(3) of the Taxation (Rural Area) Act for the period of non-payment.

(d) a developer electing to pay a development cost charge by installment must deposit with the Municipal Treasurer at the same time as the developer pays the first installment;

i) an irrevocable letter of credit from a Schedule A Chartered Bank which maintains an office in Campbell River; or

ii) a security duly assigned;

which ensures to the satisfaction of the Municipal Treasurer that upon default, the balance of the unpaid charge will be recoverable from the person, the Chartered Bank, or from the proceeds of the realization of the security, as the case may be.

7. Repeal

Development Cost Charges Bylaw No. 3280, 2007, is hereby repealed.

8. Effective Date

This Bylaw shall come into full force and effect on the date of adoption.

Read a first time on the	16th	day of	February	2010.
Read a second time on the	16th	day of	February	2010.
Read a third time on the	16th	day of	February	2010
Third reading rescinded on the	9th	day of	March	2010
Read a third time as amended on the	9th	day of	March	2010.

Received the approval of the Inspector of Municipalities pursuant to Section 937 of the Local Government Act on the 21st day of December, 2010.

Adopted on the	11th	day of	January	2011.

MAYOR

CITY CLERK

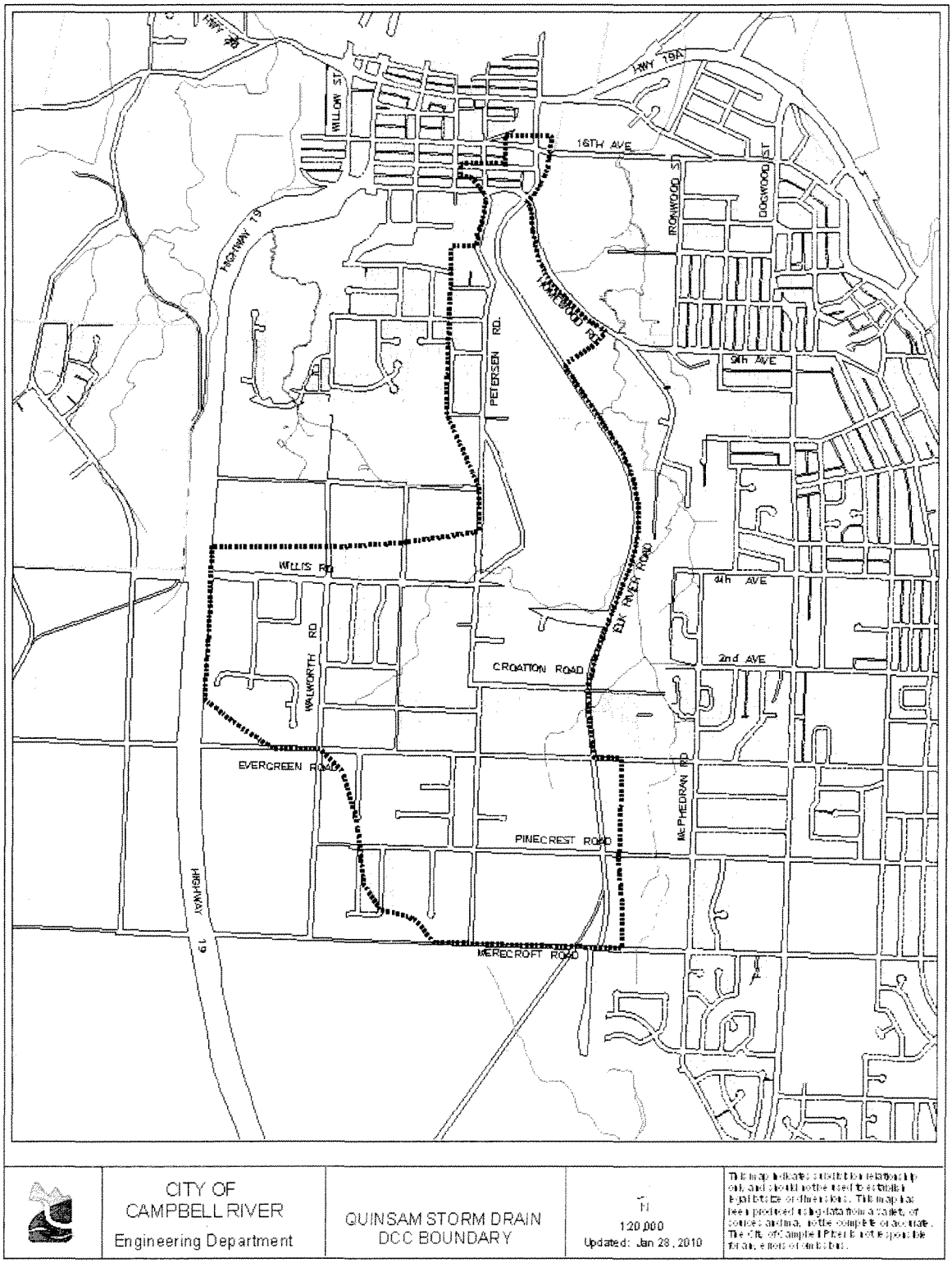
Schedule A - Development Cost Charges (Within Quinsam Drainage)

	Roads	Water	Sewage	Drainage (Quinsam Only)	Parkland Acquisition	Parkland Development	Total Development Cost Charge		When Payable
Detached Dwelling	1,281.86	1,826.43	1,109.18	5,980.04	943.02	524.29	11,664.82	per lot	Subdivision Approval
Attached Dwelling	6.61	11.96	7.27	27.66	6.18	3.43	63.11	per m^2 of total floor area	Building Permit Issue
Clustered Housing	6.61	11.96	7.27	27.66	6.18	3.43	63.11	per m^2 of total floor area	Building Permit Issue
Manufactured Home Park	661.00	1,196.00	727.00	2,766.00	618.00	343.00	6,311.00	per manufactured home site	The earlier of Subdivision Approval or Building Permit Issue
Multiple Dwelling	8.83	11.09	6.73	27.66	5.72	3.18	63.21	per m^2 of total floor area	Building Permit Issue
Commercial	17.59	6.52	3.96	19.14	-	-	47.21	per m^2 of total floor area	Building Permit Issue
Industrial	5.41	6.02	3.66	-	-	-	15.09	per m^2 of total floor area	Building Permit Issue
Institutional	22.62	7.18	4.36	-	-	-	34.16	per m^2 of total floor area	Building Permit Issue

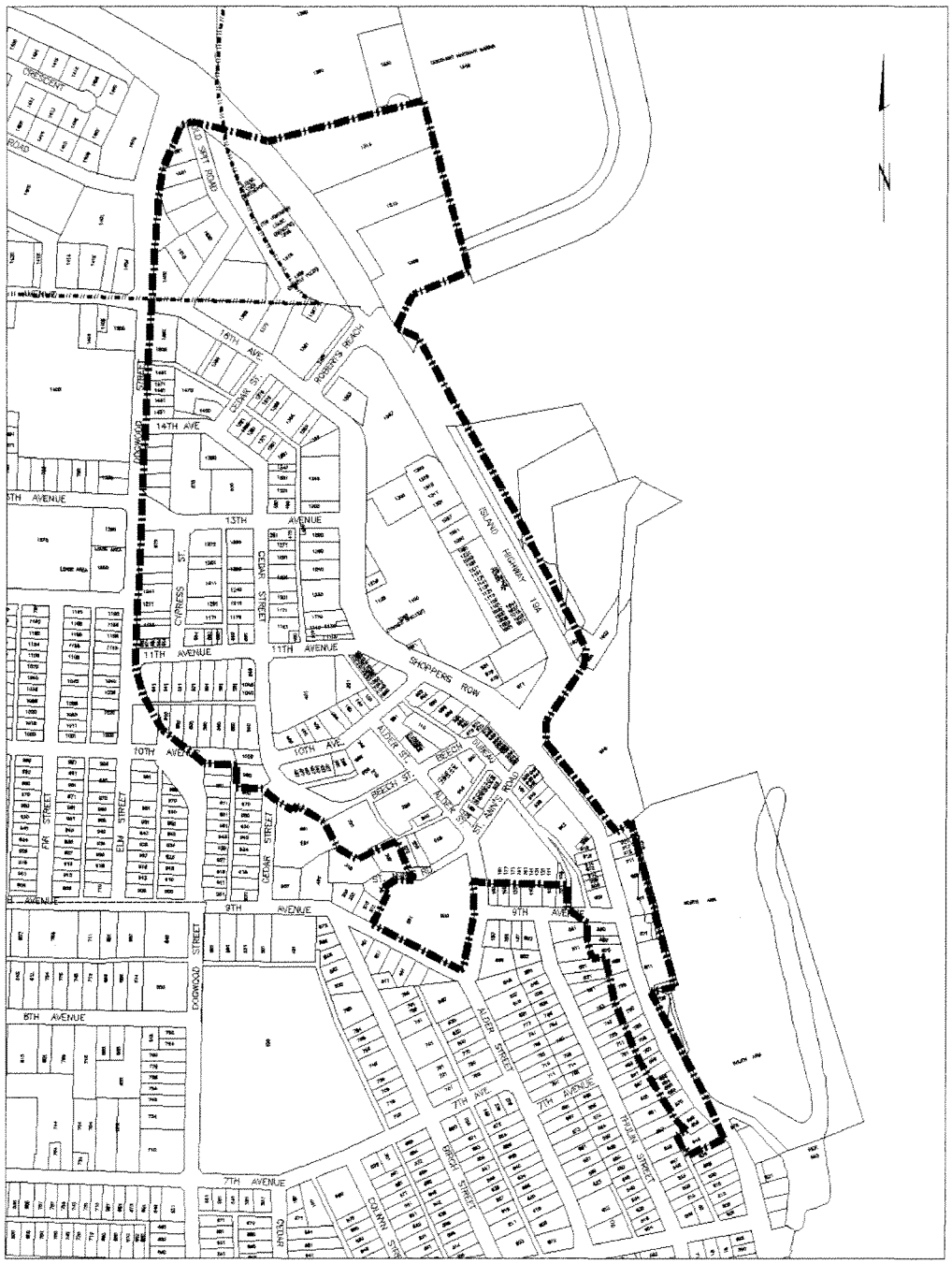
Schedule A continued - Development Cost Charges (Without Quinsam Drainage)

	Roads	Water	Sewage	Parkland Acquisition	Parkland Development	Total Development Cost Charge		When Payable
Detached Dwelling	1,281.86	1,826.43	1,109.18	943.02	524.29	5684.78	per lot	Subdivision Approval
Downtown Multiple Dwelling	0.15	9.13	3.67	5.47	3.04	21.46	per m^2 of total floor area	Building Permit Issue
Attached Dwelling	6.61	11.96	7.27	6.18	3.43	35.45	per m^2 of total floor area	Building Permit Issue
Clustered Housing	6.61	11.96	7.27	6.18	3.43	35.45	per m^2 of total floor area	Building Permit Issue
Manufactured Home Park	661.00	1,196.00	727.00	618.00	343.00	3,545.00	per manufactured home site	The earlier of Subdivision Approval or Building Permit Issue
Multiple Dwelling	8.83	11.09	6.73	5.72	3.18	35.55	per m^2 of total floor area	Building Permit Issue
Commercial	17.59	6.52	3.96	-	-	28.07	per m^2 of total floor area	Building Permit Issue
Industrial	5.41	6.02	3.66	-	-	15.09	per m^2 of total floor area	Building Permit Issue
Institutional	22.62	7.18	4.36	-	-	34.16	per m^2 of total floor area	Building Permit Issue

Schedule B – Quinsam Heights Drainage Area



Schedule C – Downtown Dwelling Area



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	CITY OF CAMPBELL RIVER ENGINEERING DEPARTMENT	DESIGNED:	SCALE: 1 : 7500	DOWNTOWN DWELLING AREA	DRAWING NO. 07-036
		DRAWN: TAB	DATE: JUL 16-03		DISK REF.
		CHECKED: WH	DATE:		SHEET 1 OF 1
		APPROVED: WH	DATE:		REV.